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Dated: 9/7/07 Signature: Elaine Leahy  
(Elaine Leahy)

Docket No.: CWRU-P03-003  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Sanford D. Markowitz

Application No.: 10/649,591

Confirmation No.: 4997

Filed: August 26, 2003

Art Unit: 1643

For: METHODS AND COMPOSITIONS FOR  
CATEGORIZING PATIENTS

Examiner: S. L. Rawlings

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114 (37 CFR 1.97(b)(4)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2). Because of its length, only the first page of reference BB1 is being submitted.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. CWRU-P03-003.

Dated: September 7, 2007

Respectfully submitted,

By 

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Used in Lieu of PTO/SB/08A/B  
(Based on PTO 04-07 version)

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|--|---|----|---|--------------------------|----------------------|
| <b>Substitute for form 1449/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                      |
|  |   |    |   | Application Number       | 10/649,591           |
|  |   |    |   | Filing Date              | August 26, 2003      |
|  |   |    |   | First Named Inventor     | Sanford D. Markowitz |
|  |   |    |   | Art Unit                 | 1643                 |
|  |   |    |   | Examiner Name            | S. L. Rawlings       |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | CWRU-P03-003         |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       |                          |  |                                |  |   |
|                       |                          |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                   |  |   |                |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>Or Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                   |  |   |                |
|                          | BA1                      | US-WO2002102235   | 12-27-2002                        | EOS Biotechnology                                  |   |                |
|                          | BB1                      | US-WO2003025138   | 03-27-2003                        | EOS Biotechnology                                  |   |                |
|                          | BC1                      | US-WO2003012070   | 02-13-2003                        | Gene Logic Inc.                                    |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |  |
|---------------------------------|-----------------------|---|----------------|--|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |  |
|                                 | CA                    | Critchfield (Disease Markers 1999; 15: 108-111).  |                |  |
|                                 | CB                    | Michishita et al. (Cancer Lett. 2006 Jul 28;88:726-732).  |                |  |
|                                 | CC                    | Rae et al. International Journal of Cancer. 2000;88: 726-732.   |                |  |
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|                                 | CG                    | Tockman et al. (Cancer Research 1992; 52: 2711s-2718s).   |                |  |
|                                 | CH                    | Ward (Developmental Oncology 1985; 21: 91-106).   |                |  |
|                                 | CI                    | Zolg et al. Mol. Cell. Prot. 2004; 3(4):345-354.  |                |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|